

DECLARATION AND POWER OF ATTORNEY

(Attorney Docket No: Hyz-050CP2)

As below-named inventors, I hereby declare that:

My residence, post office addresses and citizenship are as stated below next to my name.

I believe that I am the original, and only, inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MODIFIED PROTEIN KINASE A-SPECIFIC OLIGONUCLEOTIDES
AND METHODS OF THEIR USE**

the specification of which (check only one):

☒ [X] is attached hereto.

☐ [] was filed as United States Patent Application
Serial No. _____ on _____ and was amended on _____
(if applicable)

☐ [] was filed as PCT Patent Application Serial No. _____ on _____
and was amended under PCT Article 19 on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR §1.56(a) and §1.56(b). I also acknowledge the duty to disclose all information which is material to the patentability as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(e) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS
UNDER 35 U.S.C. §119(a)-(d) or 365(b), or 365(a):**

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. §119 (YES/NO)

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/103,098	10/05/1998	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120 or 365(c):**

APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS: (PATENTED, PENDING OR ABANDONED)
08/532,979	22/09/95	Pending
09/022,965	12/02/98	Pending

POWER OF ATTORNEY: As named inventors, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Scott M. Alter	Reg. No. 32,879
Hollie L. Baker	Reg. No. 31,321
Barbara A. Barakat	Reg. No. 32,190
Michael J. Bevilacqua	Reg. No. 31,091
Sally Byrne	Reg. No. 40,545
Nancy Chiu, Ph.D.	Reg. No. 43,545
Peter Dichiaro	Reg. No. 38,005
Michael A. Diener	Reg. No. 31,122
Richard Goldenberg	Reg. No. 38,895
Edward D. Grieff	Reg. No. 38,898

Wayne M. Kennard	Reg. No. 30,271
Wayne A. Keown, Ph.D.	Reg. No. 33,923
Ann-Louise Kerner, Ph.D.	Reg. No. 33,523
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Colleen Superko	Reg. No. 39,850
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the mailing address and telephone number of each of whom is c/o HALE AND DORR LLP, 60 State Street, Boston, Massachusetts 02109, (617) 526-6000.

Send Correspondence to:

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(617) 526-5000 Facsimile

Wherefore, I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Sudhir Agrawal

Inventor's signature _____ Date _____
Residence: 61 Lamplighter Drive, Shrewsbury, MA 01545
Citizenship: India

kerner/hyz/050cp2/appln/decl_poa.wpf

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. Hyz-050CP2)

**APPLICANT OR
PATENTEE:**

Sudhir Agrawal

SERIAL NO.

Pending

**FILED OR
ISSUED:**

HEREWITH

TITLE:

**MODIFIED PROTEIN KINASE A-SPECIFIC OLIGONUCLEOTIDES
AND METHODS OF THEIR USE**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN:
ADDRESS OF SMALL BUSINESS CONCERN:

Hybridon, Inc.
155 Fortune Boulevard
Milford, Massachusetts 01757

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12 and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the business concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third part or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

**MODIFIED PROTEIN KINASE A-SPECIFIC OLIGONUCLEOTIDES
AND METHODS OF THEIR USE**

by the inventor, Sudhir Agrawal

[X] the specification filed herewith
[] Application Serial No. _____, filed _____
[] Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

FULL NAME _____
ADDRESS _____

[] Individual [] Small Business Concern [] Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE IN ORGANIZATION

Hybridon, Inc., 155 Fortune Boulevard, Milford, MA 01757
ADDRESS OF PERSON SIGNING

Date: _____

SIGNATURE

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